

**To:** Alex Hinson[alex\_hinson@ios.doi.gov]; Caroline Boulton[caroline\_boulton@ios.doi.gov]; Daniel Jorjani[daniel.jorjani@sol.doi.gov]; David Bernhardt[(b)(6)]@ios.doi.gov]; Douglas Domenech[douglas\_domenech@ios.doi.gov]; Eli Nachmany[eli\_nachmany@ios.doi.gov]; Getto, Leila[leila\_getto@ios.doi.gov]; James Cason[james\_cason@ios.doi.gov]; John Tanner[John\_tanner@ios.doi.gov]; Laura Rigas[laura\_rigas@ios.doi.gov]; Magallanes, Downey[downey\_magallanes@ios.doi.gov]; Mashburn, Lori[lori\_mashburn@ios.doi.gov]; Micah Chambers[micah\_chambers@ios.doi.gov]; Natalie Davis[natalie\_davis@ios.doi.gov]; Russell Newell[russell\_newell@ios.doi.gov]; Scott Hommel[scott\_hommel@ios.doi.gov]; Swift, Heather[heather\_swift@ios.doi.gov]; Thiele, Aaron[aaron\_thiele@ios.doi.gov]; Willens, Todd[todd\_willens@ios.doi.gov]  
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DAILY UPDATE FOR CABINET AFFAIRS 12-05-17.docx

## **DEPARTMENT OF THE INTERIOR DAILY UPDATE FOR CABINET AFFAIRS – 12/05/17**

Lori Mashburn, White House Liaison  
Natalie Davis, Special Assistant to the Secretary

### **STATUS OF THE SECRETARY**

#### **THIS WEEK:**

- 12/5 DC Meeting with Dale Hall, Ducks Unlimited
  - Meeting with Montana Stock Growers Association
  - Call with Reporters Regarding Monuments Report
  - Meeting with Members of Association of Fish & Wildlife Agencies
  - Meeting with World War I Centennial Commission
  - White House Congressional Ball
- 12/6 DC Participate in Cabinet Meeting
  - Tele Town Hall with SES employees
  - Congressional Christmas Tree Lighting Ceremony
  - Speaker Paul Ryan Holiday Reception
- 12/7-8 Internal meetings

### **STATUS OF THE DEPUTY SECRETARY**

TODAY: The DepSec is in Utah

- Conference Call with USDA Senior Advisor Brian Klippenstein

- Meeting with Louisiana Mid-Continent Oil and Gas Association
- Participate in NEC meeting with EPA
- Attend Ducks Unlimited event on Capitol Hill

### **WH COMMS REPORT**

N/A

### **OF Interest**

#### **Deseret News- Opinion: Gary Herbert: 5 myths about Bears Ears**

##### **Governor Gary Herbert**

**December 4, 2017**

The extraordinarily vast and beautiful area of southeastern Utah known to many as the Bears Ears region deserves protection for the benefit of all Americans for generations to come and for the special benefit of those Native Americans with rich ancestral ties to this land. In order to conserve these geologically, culturally and archaeologically rich lands, federal, state, tribal and local officials need to convene and craft legislation for a diverse array of special protections and responsible recreational uses. President Donald Trump's announcement Monday reopens the door for exactly the kind of sustainable management that the Bears Ears region needs.

By executive order, Trump has reduced the Bears Ears National Monument (BENM) that President Barack Obama designated less than one year ago. That original designation created a supersize monument of about 1.35 million acres of federal land, which, when one accounts for all state and private inholdings, actually approaches 1.5 million acres. The entire state of Delaware is a little over 1.59 million acres. Both the creation and the reduction of this monument have come with controversy controversy that has often been fueled by several false narratives.

Regardless of your heartfelt feelings about what Bears Ears National Monument represents, let's sift the facts from the fiction.

**Myth:** By reducing the size of BENM, these federal lands will be transferred to the state of Utah and/or private entities.

**Fact:** BENM was designated on federal lands that will remain under federal ownership regardless of monument status. Interior Secretary Ryan Zinke has adamantly opposed the wholesale transfer or privatization of federal public lands, and that commitment is reflected in this modification of monument boundaries.

**Myth:** Without national monument status, the vast landscape of the Bears Ears region will be subjected to unchecked exploitation.

**Fact:** Before Obama's monument declaration in December 2016, the Bears Ears

region was mostly federal public land subject to a network of federal protections that conserve the area's natural beauty and archeological treasures. Trump's reconfiguration of the monument's boundaries does not change the federal ownership of these lands and maintains the existing system of federal protections.

Specifically, 11 "wilderness study areas" in the Bears Ears region prohibit most motorized travel, construction of new roads and development of oil, gas or coal. These wilderness study areas include many of the region's iconic locations: Cedar Mesa, Mancos Mesa and Cheese Box Canyon, to name a few. The region is also home to the Dark Canyon Wilderness, designated by Congress in 1984 and completely protected from motorized travel or natural resource extraction. Farther south lies the famed Valley of the Gods, federally preserved as an "area of critical environmental concern" to ensure the integrity of beautiful scenic vistas.

**Myth:** Without national monument status, the Bears Ears region will be crisscrossed by coal mines, oil rigs and gas pipelines.

**Fact:** Mineral resources beneath Bears Ears are scarce. There is no developable oil and gas. The region's nonrenewable resources, including uranium near the Daneros Mine, were actually outside the expansive monument boundaries declared by Obama. The integrity of the Bears Ears landscape, long kept intact before the creation of the monument, will almost certainly remain intact after Trump's announcement. And to ensure this going forward, the state of Utah is asking for congressional legislation that will exclude the region from mineral extraction.

**Myth:** National monument status will protect the rich archaeological sites and artifacts in the Bears Ears region.

**Fact:** Looting and vandalism are ongoing problems because the region lacks sufficient federal law enforcement. Existing federal laws such as the Archaeological Resources Protection Act and the Paleontological Resources Preservation Act are just two federal laws that protect precious cultural and scientific sites on federal land regardless of status. But the Bureau of Land Management's law enforcement presence, once a formidable force in the area, has steadily declined due to federal budget constraints and workforce reductions. The designation of BENM brings no guarantees of improved law enforcement, but it does guarantee growing tourist visitation to vulnerable archaeological sites that will spread BLM resources even thinner and likely aggravate problems with looting and vandalism.

**Myth:** National monument status is a boon for outdoor recreation.

**Fact:** Monument status can limit specific activities enjoyed by outdoor recreationists, such as mountain biking, certain types of rock climbing and motorized travel on back roads. Managing public lands for the full spectrum of outdoor recreation activities and tailoring them to the specific terrain is best done through land management plans that take input from local tribal leaders and local land managers who understand the unique nature of the area and its possible uses for responsible recreation.

Strong protections for the federal public lands that Utahns know and love are in place. The sacred and precious antiquities of southern Utah continue to be protected through targeted use of the Antiquities Act and existing laws, regulations and land management plans. Long-term, meaningful protection depends on stronger enforcement of existing law and on new legislation tailored to the nuanced concerns of federal, state, tribal and local stakeholders. It depends on allowing meaningful co-management of tribal ancestral lands by our local tribes. It depends on smart, sustainable management to accommodate conservation alongside a variety of responsible uses. By reducing the BENM to a realistic and manageable size, the Trump administration has reopened the door for the kind of sustainable protection the Bears Ears region really needs.

Gary R. Herbert is the governor of Utah.

**AGENCY MEDIA (submitted 12/1)**

**U.S. Department of the Interior**

*Secretarial-level Announcements/Events/Interviews:*

- **December 5:** Secretary Zinke/DOI will support President Trump in announcing the full Monument Review report.
- **December 5:** Secretary Zinke is meeting with Dale Hall of Ducks Unlimited and members of the Association of Fish & Wildlife Agencies.
- **December 6:** Secretary Zinke is attending the Congressional Christmas Tree Lighting Ceremony and Speaker Paul Ryan's Holiday Reception

**Interior Social Media Updates**

- **December 5: Department-level Blog Post:** DOI will publish a blog post celebrating the 70<sup>th</sup> birthday of Everglades National Park.

**National Park Service**

- **December 3 to 9:** WWII Valor in the Pacific National Monument, in partnership with the U.S. Navy, Pacific Historic Parks, and other close park partners, will commemorate the 76th anniversary of the attack on Oahu by the Empire of Japan. In addition to the main ceremony on the morning of December 7, other highlights of the week include ceremonies at the USS Oklahoma and USS Utah memorials, as well as the interment of MM1c Estelle Birdsell, who survived the sinking of the USS Arizona and who will now join his brother, Rayon Birdsell, who died in the attack 76 years ago, within the USS Arizona. Complete details are available at <http://pearlharborevents.com>.
- **December 6:** DOI Principal Deputy Assistant Secretary Scott Cameron, members of the Western Governors' Association and the states of Idaho and

Nevada will visit Lake Mead National Recreation Area to discuss the parks aquatic invasive species program.

- **December TBD: National NPS Release:** NPS will issue a release announcing the installation of four electric vehicle charging stations in and around Gettysburg National Military Park as part of a continuing partnership with the National Park Foundation, Department of Energy, and BMW of North America. The first charging stations under the partnership were installed at Thomas Edison National Historical Park in April of this year. The same news release template would be used for future installations at different parks.

#### **U.S. Fish and Wildlife Service**

- **December 7: Local FWS Release:** FWS will publish a Notice of Regulatory Review (NORR) in the Federal Register requesting public comment on any potential effects a recent D.C. Circuit Court of Appeals ruling may have on the Service's June 30, 2017 final rule delisting the Greater Yellowstone Ecosystem grizzly bear Distinct Population Segment.

#### **Bureau of Land Management**

- **December 6: National BLM Release:** BLM-AK will hold an oil and gas lease sale for 900 tracts totaling 10.3 million acres in the NPR-A. There have been 12 previous NPR-A lease sales since 1999, but this one will be the first NPR-A lease to take place using livestream video. In addition, this is the first time that all available tracts will be offered for lease, which is a potential source of controversy. Bidding is expected to be moderate.

- **December 7: Local BLM Release:** BLM-CO will hold an oil and gas lease sale for 28 parcels totaling 27,284 acres in Garfield and Mesa counties. The sale is not expected to be controversial due to the lack of a significant number of protests received and lack of media coverage.

- **December 7: Local BLM Release:** BLM-NM will hold an oil and gas lease sale for 7 parcels totaling 2,104 acres in Eddy and Lea Counties. The sale is expected to be controversial and is likely to be protested by environmental groups concerned with the potential impacts of hydraulic fracturing on air and water quality. The bidding is expected to be robust.

- **December 7:** BLM-CO Colorado River Valley Field Office will provide an update on its inspection and enforcement program at the quarterly Northwest Colorado Oil and Gas Forum in Rifle, CO. The BLM will then provide the update at the monthly Garfield County Energy Advisory Board, also in Rifle. Updates will focus on the status of current projects, permitting and leasing.

#### **U.S. Geological Survey**

- **December 5:** USGS will issue four Technical Announcements and do social

media about new reports that assess the quality of drinking-water supplies in four regional aquifers across the nation. The four regional aquifers to be announced are: Cambrian-Ordovician aquifer, Glacial aquifer system, Piedmont and Blue Ridge crystalline-rock aquifers, and the Rio Grande aquifer system.

#### **Bureau of Reclamation**

- **December 5 and 7:** Rescheduled Public Meetings on Draft EIS/EIR for Sites Reservoir Project (CA): The Sites Project Authority and Reclamation cancelled the September 26 and September 28 public meetings and rescheduled them for December 5 (in Sacramento) and December 7 (in Maxwell). The comment period is also extended to January 15, 2018.
- **December 7:** On December 7 in Portland, Oregon, the U.S. Army Corps of Engineers, Reclamation and Bonneville Power Administration will hold a public meeting on the Columbia River System Operations EIS to discuss the results of public scoping and provide a status update on progress made on the EIS and to further educate attendees on the NEPA process. A draft biological opinion is due in 2020, final environmental impact statement/record of decision in 2021. The two Reclamation facilities included in this process are Grand Coulee Dam and Hungry Horse Dam (both include hydropower facilities).

#### **Bureau of Ocean Energy Management**

- **December TBD:** NOA FSEIS for 2018 Gulf Region-wide Sales 250 and 251 NTS

#### **Office of Natural Resources Revenue**

- **December TBD:** ONRR issued a civil penalty in the amount of \$19,736 to Mid-Con Energy Operating, LLC, (Mid-Con) (formerly RDT Properties, Inc) on November 17, 2017. ONRR investigated Mid-Con's failure to submit production reports (form ONRR-4054) and found 68 violations on multiple Indian leases for the production months of September 2011 through January 2013.
- **December TBD:** ONRR anticipates issuing a civil penalty of about \$840 to Eight Round Inc., (Eight Round) the week of November 5, 2017. ONRR investigated Eight Round's failure to submit production reports (Forms ONRR-4054) and found 12 violations on one Indian agreement for production months of April, 2012 through September, 2013.

#### **Office of Insular Affairs**

- **December 5: National OIA Release:** Compact Impact Assistance Received for Guam Public School Leaseback Program for FY2018 - Interior Provides \$6.7M in Support of Guam Governor's Priorities

#### **CONGRESSIONAL UPDATE (updated 12/4)**

**UPCOMING SCIA HEARING:** The Senate Committee on Indian Affairs will host a legislative hearing on two Indian water rights settlement bills: S. 664 (Senator Hatch), the Navajo Utah Water Rights Settlement Act of 2017 and S. 1770 (Senator Flake), the Hualapai Tribe Water Rights Settlement Act of 2017. Alan Mikkelsen, the Chair of the Indian Water Rights Office Working Group, will be the witness on behalf of the Department.

**Timing:** Wednesday, December 6, 2017

**Contact:** Amanda Kaster, Advisor, Congressional Affairs

**UPCOMING HNR SUBCOMMITTEE HEARING REGARDING FISH RECOVERY**

**PROGRAMS:** The House Natural Resources subcommittee on Water Power and Oceans will hold a legislative hearing on HR.4465 which has impacts on Bureau of Reclamation and Fish Wildlife Service. DOI will not be testifying but will provide a statement for the record.

**Timing:** Wednesday, December 6, 2017

**Contact:** Amanda Kaster, Advisor, Congressional Affairs

**EXPECTED HEARING:** The Senate Energy Committee is expected to hold a hearing on December 12 regarding permitting reform. Details regarding the specifics the committee plans to emphasize are still being put together; however, James Cason (Associate Dep. Sec.) is tentatively scheduled to testify.

**Timing:** Tuesday, December 12, 2017

**Contact:** Amanda Kaster, Advisor, Congressional Affairs

**DOI NOMINEES IN PROGRESS:** Susan Combs (A/S PMB) passed out of committee August 3, 2017 and still awaits a vote. Joe Balash (Assistant Secretary, Land & Minerals) and Ryan Nelson (Solicitor) appeared before the SENR committee on September 7, 2017. Both passed and now await full Senate approval. DOI OCL is working with OGE and the White House to get final approval for Asst. Sec. Indian Affairs nominee, Tara Sweeney before submitting her paperwork to the Senate. The White House nominated Steve Gardner for OSM. His Senate questionnaire is currently under review. Tim Petty's (Asst. Secretary, Water & Science Nominee) was nominated November 14, 2017 and his nomination hearing will be held on 12/5/17.

**Contact:** John Tanner, Director, Congressional Affairs

**POLITICAL APPOINTEE UPDATE**

DOI politicals on board = 65

4 PAS confirmed as of 11/16

6 nominated awaiting confirmation:

- Pending Senate floor vote: Susan Combs, Assistant Secretary Policy

## Management and Budget.

- Pending Senate floor vote: Joe Balash, Assistant Secretary, Land and Minerals
- Pending Senate floor vote: Ryan Douglas Nelson, Solicitor
- Pending Hearing: Tara Sweeney, Assistant Secretary for Indian Affairs
- Pending Hearing: Steve Gardner, Director, Office of Surface Mining and Reclamation
- Pending Hearing: Tim Petty, Assistant Secretary for Water and Science

## Overall:

- Schedule C: 36 of 68 onboard; 2 starting; 6 in process
- NC-SES: 26 of 44 onboard; 3 starting; 1 in process
- PAS: 4 Confirmed; 6 Announced; 14 of 17 Submitted to PPO

**SECRETARY SPEAKING INVITATIONS**

## Accepted:

12/16 - National Wreaths Across America Day (Arlington National Cemetery)  
 2/9 Western Hunting & Conservation Expo (Salt Lake City, Utah)  
 3/6-7 CERA Week (Houston, Texas)

Open (date TBC)- Americans for Tax Reform (DC)

Open (date TBC)- Detroit Economic Club

Event Postponed by organizers due to fire - 10/21 DEPA BOD Meeting (CA)

## Outstanding Invitations in Process:

1/4 Dallas Safari Club Annual Meeting (Dallas, TX)  
 1/26-28 Houston Safari Club Annual Meeting (Houston, TX)  
 1/29 Society of Range Management Annual Meeting (Reno, Nevada)  
 1/31-2/3 Safari Club International Annual Meeting (Las Vegas, NV)  
 2/8- Texas Public Policy Foundation Policy Orientation (Austin, TX)  
 2/12 The Corps Network National Conference (Washington, DC)

## Declining

12/5-7 America Outdoors Association's 29th Annual Marketing and Management Conference for Outfitters and Adventure Resorts (Reno, NV)  
 12/5 NY Stock Exchange Ringing of the Bell & remarks at Wells Fargo Financial Symposium Event (NYC)  
 12/6 American Exploration and Mining Association Annual Meeting (Reno, NV)  
 12/8 - Valley Industry and Commerce Association Annual Meeting (Los Angeles, CA)  
 12/11 Veterans Day Commemoration (Prussia, PA)  
 12/14 Leadership Missoula (Missoula, Montana)  
 12/8 DOI Toastmasters event (Washington, DC)  
 12/9 Western Caucus Foundation Winter Policy Meeting (Las Vegas, NV)  
 1/11/18 EEI CEO and Board Conference (Phoenix, AZ)

2/9-10 Associated General Contractors Western Chapter Annual Meeting (La Jolla, CA)

2/23/18 West Slope Colorado Oil and Gas Association Annual Meeting (Grand Junction, CO)

### **EMERGENCY MANAGEMENT**

Overnight, a fast-moving and wind-fueled wildfire, the Thomas Fire, started in Ventura County in southern California. The fire originated just south of the Los Padres National Forest, near the community of Santa Paula, as a brush fire around 50 acres in size. Due to dry foliage, low humidity, and sustained winds of more than 30 miles per hour overnight, the fire has grown to 31,000 acres and is zero-percent contained. Ventura County officials reported there were approximately 500 firefighters on scene or en route, and that fixed wing aircraft and helicopters are expected by day break. Mandatory evacuations have been issued for nearly 7,800 residences and 150 structures have already been destroyed. The overall intensity of the fire and weather conditions are complicating response efforts. Extreme Fire Weather is forecast for the area today and the National Weather Service has issued a Red Flag Warning for much of Ventura and Los Angeles counties. A Wind Advisory and High Wind Warning was also issued due to strong surface winds with gusts up to 60 to 80 miles per hour. The Lake Casitas Recreation Area (USBOR), the closest DOI asset in the area, is to the northwest of the fire perimeter and has not reported any impacts.

### **OUTSIDE MEDIA OF INTEREST** (new)

#### **Trump Reduces Size Of Grand Staircase, Bears Ears Monuments.**

During a visit To Utah Monday, President Trump announced that he has reduced the size of Bears Ears National Monument by 85% and Grand Staircase-Escalante National Monument by about half. Media coverage is somewhat mixed, highlighting both the positive response from officials and Utahans who see the move as an economic win for the state as well as the negative reaction from protesters and tribal and environmental groups who have vowed to mount a legal challenge.

NBC Nightly News (12/4, story 4, 0:25, Holt) reported that Trump is “dramatically scaling back” the sites, and Breitbart (12/4, Spiering) says he took “the unusual step...despite an outcry from leftist environmental groups.” Trump said, “With the action I’m taking today, we will not only give back your voice over the use of this land, we will also restore your access and your enjoyment. ... Public lands will once again be for public use.”

· **FIRST MONUMENT LAWSUITS FILED:** A coalition of environmental groups filed the first lawsuit challenging President Donald Trump's long-expected move to shrink the Grand Staircase-Escalante National Monument just hours after he announced his decision to significantly pare two national monuments in Utah. The groups argue in their complaint filed in Washington federal court that the Antiquities Act "does not authorize Presidents to abolish [national monuments] either in whole or

in part, as President Trump's action attempts to do." And the Native American Rights Fund, representing the Hopi Tribe, Navajo Nation, Pueblo of Zuni and Ute Mountain Ute Tribe, filed its own challenge the Bears Ears proclamation late Monday evening.

**Interior Department Nomination Hearing Begins Tuesday For Hill Staffer With Idaho Ties.**

KBSC-FM Boise, ID (12/4, Barnhill) reports that Tuesday morning, a Senate committee will hear the nomination of Tim Petty to be the assistant Interior secretary for water and science. Petty has "worked for the Interior Department before under then-Secretary and former Idaho governor Dirk Kempthorne."

**Congress Fights Over Whether To Allow Interior To Kill Wild Horses.**

The Washington Examiner (12/5, Siegel) reports that to manage the overpopulation of wild horses, John Ruhs, the Bureau of Land Management's director in Nevada, "wants Congress to lift restrictions on his agency to give it more flexibility to euthanize horses not just when they're old and sick and sell more of them for private use, without dictating what the buyer can or cannot do with the animals." The Senate "introduced a fiscal 2018 Interior-Environmental Protection Agency spending bill last month that includes language prohibiting BLM from selling without restriction tens of thousands of excess horses on federal rangelands and banning the agency from euthanizing animals that have been unsuccessfully offered for adoption more than three times." However, the House's fiscal 2018 Interior appropriations legislation "contains a section that would lift restrictions on BLM to sell or, in specific circumstances, euthanize excess wild horses."

**Bill Could Make Drilling Off N.C. Coast More Likely.**

The Jacksonville (NC) Daily News (12/4, Wagner) reports that the SECURE American Energy Act would make drilling off North Carolina more likely. The measure was passed by the House Committee on Natural Resources, but it has not yet received a vote from the full chamber. The bill would grant Congress the sole power to establish moratoriums on offshore drilling and create National Marine Monuments. Gov. Roy Cooper has opposed offshore exploration, saying it risks the state's coastal economies.

**Navajo-Gallup Water Project Gains Pipeline Contract.**

The Southwest Colorado Journal (12/4, Mimiaga) reports that "Navajo and Jicarilla-Apache Nation communities in New Mexico are one step closer to receiving domestic and commercial water supplies as part of a \$1.13 billion federal construction project." Construction began on the Navajo-Gallup Water Supply project "in 2013 with completion estimated for 2024." The article notes that "it is being built by the Bureau of Reclamation, city of Gallup, Navajo Nation and Indian Health Service."

**Hunt Elephants To Save Them? Some Countries See No Other Choice.**

In continuing coverage of the controversy over the decision by the United States Fish and Wildlife Service last month “to allow hunters to bring home trophies from elephants killed in Zimbabwe and Zambia,” the [New York Times](#) (12/4, Nuwer) reports that “whether the proceeds from big-game hunting should be used to protect threatened and endangered species is a difficult question to answer.” The article notes that “in some areas, including in Namibia and Zimbabwe, the strategy has helped revive wildlife populations.” However, “in others, including Tanzania, hunting has fed corruption and decimated species.” Vern Buchanan Urges Donald Trump To Ban African Lion Trophies. The [Sunshine State \(FL\) News](#) (12/4, Derby) reports that Rep. Vern Buchanan, co-chairman of the Animal Protection Caucus in Congress, is urging President Trump “to restore the ban on allowing African lion trophies to be brought into the United States.” Buchanan said, “Allowing lion heads to be brought into the U.S. as trophies will only encourage the slaughter of these magnificent animals. President Trump should reverse his Interior secretary’s decision and keep the ban on African lion trophies.”

**National Park Lovers Should Applaud Trump’s Monument Decision.**

In an op-ed on the [Fox News](#) (12/4) website, ex-Rep. Jason Chaffetz praises President Trump’s decision to reduce the size of the Bears Ears and Staircase-Escalante National Monuments as “an example of his policies that will benefit every American who enjoys national parks and monuments.” Chaffetz argues that national monument designations “have strained land management budgets and limited public access to beautiful places.”

**DOI PRESS RELEASE:**

**President Trump and Secretary Zinke Announce Modification to Utah Monuments,  
Resulting in 5 Unique National Monument Units Totaling More Than 1.2 Million Acres**

*Modifications protect paleontological resources, Native American artifacts and other objects of historic or scientific interest while restoring traditional use and access to public land*

**SALT LAKE CITY** Acting upon the recommendation of U.S. Secretary of the Interior Ryan Zinke, and with the support of Utah’s governor, Congressional delegation, local officials, and residents, President Donald J. Trump today signed proclamations to adjust the boundaries and management of [Utah’s Bears Ears National Monument \(BENM\)](#) and [Grand Staircase-Escalante National Monument \(GSENM\)](#). The proclamations modify the boundaries of those monuments and result in five unique monument units within the two monuments which protect important objects of historical and scientific interest.

“No one values the splendor of Utah more than the people of Utah – and no one knows better how to use it. Families will hike and hunt on land they have known for generations, and they will preserve it for generations to come.” **said President**

**Donald J. Trump.** "The Antiquities Act does not give the Federal Government unlimited power to lock up millions of acres of land and water, and it's time we ended this abusive practice. Public lands will once again be for public use."

"I thank President Trump for his leadership on the Monument Review and for keeping his promise to make sure the rural voice is heard once again," **said Secretary Zinke.** "As I visited the Monuments in Utah, I met with Americans on all sides of the issue -- from ranchers to conservationists to tribal leaders -- and found that we agree on wanting to protect our heritage while still allowing public access to public land. The people of Utah overwhelmingly voiced to us that public land should be protected not for the special interests, but for the citizens of our great country who use them, and this is what President Trump is doing today. Bears Ears and Grand Staircase will remain under federal protection, will adhere to the spirit and letter of the Antiquities Act, and -- even after our modification -- combined will still be nearly twice the size of Rhode Island."

"By acting on Secretary Zinke's thoughtful recommendations, President Trump has restored balance to our public lands discussion," **said Governor Gary Herbert of Utah.** "We are pleased that Utahns once again have a voice in the process of determining appropriate uses of these public lands that we love. By reducing these super-sized monuments to a size consistent with the intent of the law, new doors of dialogue have opened up that will allow thoughtful, long-term protection of these federal lands. Federal, state, local and tribal officials can now convene to craft legislation for appropriate special protections and responsible recreational uses."

"Thank you Secretary Zinke, for coming to San Juan, Kane, and Garfield counties and listening to the local grassroots people. Your boots on the ground approach was unexpected, but well received and appreciated," **said San Juan County Commissioner Rebecca Benally.** "Thank you Senator Hatch. You and your staff have been champions for us. Thank you for never giving up. For believing we could rectify a wrong and for being a fighter for San Juan County and our people. Thank you President Trump. Thank you for not being a typical politician and passing us over. Thank you for caring about San Juan County. We may be only 15,000 strong, but we matter. We appreciate you willing to take the backlash from the special interest groups as you stand for the people and the economy of San Juan County."

"I'm thrilled and grateful to President Trump and Secretary Zinke for giving Utahns a voice in the protection of federal lands in Utah," **said Senator Orrin Hatch.** "The President's proclamation represents a balanced solution and a win for everyone on all sides of this issue. It also represents a new beginning in the way national monuments are designated, paving the way for more local input, and taking into account the actual letter and intent of the Antiquities Act, which calls for the 'smallest area compatible with proper care and management of the objects to be protected.'"

**Bears Ears National Monument:** The BENM will now encompass two monument units, Shash Jáa and Indian Creek, which will continue to be jointly managed by the Bureau of Land Management and U.S. Forest Service. Shash Jáa is approximately

129,980 acres and Indian Creek is approximately 71,896 acres. Collectively, at approximately 201,876 acres in size, Bears Ears remains larger than Utah's Bryce Canyon National Park and Zion National Park combined. The new proclamation allows for increased public access to the land and restores traditional use allowance for activities like cattle grazing and motorized recreation, and tribal collection of wood and herbs. Objects that remain within monument boundaries include: the "Bears Ears" buttes, Lime Ridge Clovis Site, Moon House Ruin, Doll House Ruin, Indian Creek Rock Art, and Newspaper Rock. The federal lands excluded from the monument will continue to be managed by the Bureau of Land Management (BLM) and the U.S. Forest Service.

In addition, the President's proclamation provides that the Bears Ears Commission will provide guidance and recommendations for the Shash Jáa unit of the monument and will be expanded to include a Native American San Juan County Commissioner elected by the majority-Native American voting district in that County. The President and Secretary will also request that Congress formally allocate Tribal co-management of the monument.

**Grand Staircase-Escalante National Monument:** The GSENM will now consist of three distinct monument units, the "Grand Staircase" (209,993 acres), "Kaiparowits" (551,034 acres), and "Escalante Canyons" (242,836 acres), and all three will be managed by the BLM. The three new monument areas collectively total 1,003,863 acres, which is larger than the entire state of Rhode Island. The federal lands not included in the new monuments will continue to be managed by the BLM.

In the 20 years since designation of the GSENM, the objects identified by the proclamation have been more thoroughly examined and mapped, which offered the opportunity to examine the significance of the objects previously identified and determine the proper size of the reservation necessary to protect those objects. The modified monument includes important objects identified in the original designation, including those areas with the highest concentration of fossil resources, important landscape features such as the Grand Staircase, Upper Paria Canyon System, Kaiparowits Plateau, Escalante Natural Bridge, Upper Escalante Canyons, East Kaibab Monocline, Grosvenor Arch, Old Paria Townsite, Dance Hall Rock, and relict plant communities such as No Mans Mesa.

## FACT VS FICTION: Antiquities Act and Monument Review

**Myth:** No president has shrunk a monument.

**False:** Monuments have been reduced at least eighteen times under presidents on both sides of the aisle. Some examples include President John F. Kennedy excluding Bandelier National Monument, Presidents Taft, Wilson, and Coolidge reducing Mount Olympus National Monument, and President Eisenhower reducing the Great Sand Dunes National Monument in Colorado.

**Myth:** The monument review will sell/transfer public lands to states.

**False:** This is not true. The Secretary adamantly opposes the wholesale sale or

transfer of public lands. The Antiquities Act only allows Federal land to be reserved as a national monument. Therefore, if any monument is reduced, the land would remain federally owned and would be managed by the appropriate Federal land management agency, such as the BLM, U.S. Forest Service, U.S. Fish and Wildlife Service, or the National Park Service (NPS).

**Myth:** Removing the monument designation from land will leave Native American artifacts and paleontological objects subject to looting or desecration.

**False:** This is not true. Whether these resources are found on land designated as a monument, national forest, BLM- managed public land, or other federal land, it is generally illegal to remove or disrupt these resources without a permit issued by the federal government.

**Myth:** The monument review will close/sell/transfer national parks.

**False:** No national parks are under review.

**Myth:** The review was done without meeting advocates for national monuments.

**False:** The Secretary visited eight monuments in six states and personally hosted more than 60 meetings attended by hundreds of local stakeholders. Attendees included individuals and organizations representing all sides of the debate ranging from environmental organizations like the Wilderness Society and the Nature Conservancy to county commissioners and, residents, and ranchers who prefer multiple use of the land.

**Myth:** Tribal Nations were not consulted.

**False:** This is patently false. Before traveling to Utah, the Secretary met with Tribal representatives in his office. On his first day in Utah in May, the Secretary met with the Bears Ears Inter-Tribal Coalition in Salt Lake City, for just under two hours. Throughout the four-day survey of the Utah monuments, the Secretary also met with local Tribal representatives who represent different sides of the debate. The Secretary also met with Tribal representatives for their input on several other monuments from Maine to New Mexico to Oregon and everywhere in between. Additionally, the Department hosted several Tribal listening sessions at the Department and across the country, including a four hour session with the Acting Deputy Secretary on May 30th.

#### **FEDERAL REGISTER LISTINGS:**

REG0007672 BLM Waste Prevention, Production Subject to Royalties, and Resource Conservation; Delay and Suspension of Certain Requirements -- This final rule temporarily suspends or delays certain requirements in the BLM final rule, "Waste Prevention, Production Subject to Royalties, and Resource Conservation," published in November 2016. This final rule postpones the implementation of such requirements for one year until January 17, 2019, while the BLM considers whether to revise or rescind the 2016 final rule. Final Rule 12/01/2017

REG0007621 BOE Notice of Availability for the Gulf of Mexico Outer Continental Shelf Lease Sale Final Supplemental Environmental Impact Statement 2018 -- The Bureau of Ocean Energy Management (BOEM) is announcing the availability of the

Gulf of Mexico Outer Continental Shelf Lease Sale: Final Supplemental Environmental Impact Statement 2018 (Final SEIS). The Final SEIS will inform decisions on each of the two proposed region wide lease sales scheduled to be held in 2018. Notice 12/01/2017

REG0006845 FWS Financial Assistance: Wildlife Restoration, Sport Fish Restoration, Hunter Education and Safety -- FWS is updating the regulations that are the administrative rules for the Pittman-Robertson Wildlife Restoration and the Dingell-Johnson Sport Fish Restoration programs and subprograms. Proposed Rule 12/01/2017

REG0007652 FWS Endangered and Threatened Wildlife and Plants; Initiation of a 5-yr Status Review of the Alaska-Breeding Population of Steller's Eider -- The FWS is initiating a 5-year status review of the Alaska-breeding population of Steller's eider under the Endangered Species Act of 1973 (ESA). The FWS requests any new information on the threatened species that has become available since the last review over a 60-day comment period. Notice 12/01/2017

REG0007655 FWS Endangered and Threatened Wildlife and Plants; Availability of Proposed Low-Effect Habitat Conservation Plan; Orange County Utilities, Malcolm Road Water Supply Facility, Orange County, FL -- The FWS has received an application from Orange County Utilities for an incidental take permit (ITP) that would authorize take of approximately 10.9 acres of occupied threatened sand skink habitat incidental to the construction of a water supply facility on property jointly owned by Orange County and the City of Orlando, Florida. Notice 12/01/2017

REG0007667 FWS Issuance of Recovery Permits and Interstate Commerce Permits January 2, 2017, through June 30, 2017 -- This batched notice informs the public of the issuance of Endangered Species Act permits. Notice 12/01/2017

REG0007668 FWS U.S. Endangered Species; Receipt of Recovery Permit Applications -- This is a batched notice announcing the receipt by FWS of applications for Endangered Species Act (ESA) permits. Notice 12/01/2017

REG0007669 FWS Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Depredation Orders -- This Notice, under the Paperwork Reduction Act of 1995 (PRA), announces that FWS will ask the Office of Management and Budget (OMB) to renew its approval of the collection of information pertaining to implementation of the Migratory Bird Treaty Act. FWS is requesting public comments on the renewal for 30 days. Notice 12/01/2017

REG0007670 NPS National Register of Historic Places, November 18, 2017 -- The NPS is soliciting comments on the significance of properties nominated before November 18, 2017, for listing in the National Register of Historic Places or related actions. Notice 12/01/2017

Lori K. Mashburn  
White House Liaison

Department of the Interior  
202.208.1694

**DEPARTMENT OF THE INTERIOR DAILY UPDATE FOR CABINET AFFAIRS – 12/05/17**

Lori Mashburn, White House Liaison  
Natalie Davis, Special Assistant to the Secretary

**STATUS OF THE SECRETARY**

**THIS WEEK:**

- 12/5 – DC – Meeting with Dale Hall, Ducks Unlimited
  - Meeting with Montana Stock Growers Association
  - Call with Reporters Regarding Monuments Report
  - Meeting with Members of Association of Fish & Wildlife Agencies
  - Meeting with World War I Centennial Commission
  - White House Congressional Ball
- 12/6 – DC – Participate in Cabinet Meeting
  - Tele Town Hall with SES employees
  - Congressional Christmas Tree Lighting Ceremony
  - Speaker Paul Ryan Holiday Reception
- 12/7-8 – Internal meetings

**STATUS OF THE DEPUTY SECRETARY**

TODAY: The DepSec is in Utah

- Conference Call with USDA Senior Advisor Brian Klippenstein
- Meeting with Louisiana Mid-Continent Oil and Gas Association
- Participate in NEC meeting with EPA
- Attend Ducks Unlimited event on Capitol Hill

**WH COMMS REPORT**

N/A

**OF Interest**

[Deseret News- Opinion: Gary Herbert: 5 myths about Bears Ears](#)

**Governor Gary Herbert**

**December 4, 2017**

The extraordinarily vast and beautiful area of southeastern Utah known to many as the Bears Ears region deserves protection for the benefit of all Americans for generations to come and for the special benefit of those Native Americans with rich ancestral ties to this land. In order to conserve these geologically, culturally and archaeologically rich lands, federal, state, tribal and local officials need to convene and craft legislation for a diverse array of special protections and responsible recreational uses. President Donald Trump's announcement Monday reopens the door for exactly the kind of sustainable management that the Bears Ears region needs.

By executive order, Trump has reduced the Bears Ears National Monument (BENM) that President Barack Obama designated less than one year ago. That original designation created a supersize monument of about 1.35 million acres of federal land, which, when one accounts for all state and private inholdings, actually approaches 1.5 million acres. The entire state of Delaware is a little over 1.59 million acres. Both the creation and the reduction of this monument have come with controversy — controversy that has often been fueled by several false narratives.

Regardless of your heartfelt feelings about what Bears Ears National Monument represents, let's sift the facts from the fiction.

**Myth:** By reducing the size of BENM, these federal lands will be transferred to the state of Utah and/or private entities.

**Fact:** BENM was designated on federal lands that will remain under federal ownership regardless of monument status. Interior Secretary Ryan Zinke has adamantly opposed the wholesale transfer or privatization of federal public lands, and that commitment is reflected in this modification of monument boundaries.

**Myth:** Without national monument status, the vast landscape of the Bears Ears region will be subjected to unchecked exploitation.

**Fact:** Before Obama's monument declaration in December 2016, the Bears Ears region was mostly federal public land subject to a network of federal protections that conserve the area's natural beauty and archeological treasures. Trump's reconfiguration of the monument's boundaries does not change the federal ownership of these lands and maintains the existing system of federal protections.

Specifically, 11 "wilderness study areas" in the Bears Ears region prohibit most motorized travel, construction of new roads and development of oil, gas or coal. These wilderness study areas include many of the region's iconic locations: Cedar Mesa, Mancos Mesa and Cheese Box Canyon, to name a few. The region is also home to the Dark Canyon Wilderness, designated by Congress in 1984 and completely protected from motorized travel or natural resource extraction. Farther south lies the famed Valley of the Gods, federally preserved as an "area of critical environmental concern" to ensure the integrity of beautiful scenic vistas.

**Myth:** Without national monument status, the Bears Ears region will be crisscrossed by coal mines, oil rigs and gas pipelines.

**Fact:** Mineral resources beneath Bears Ears are scarce. There is no developable oil and gas. The region's nonrenewable resources, including uranium near the Daneros Mine, were actually outside the expansive monument boundaries declared by Obama. The integrity of the Bears Ears landscape, long kept intact before the creation of the monument, will almost certainly remain intact after Trump's announcement. And to ensure this going forward, the state of Utah is asking for congressional legislation that will exclude the region from mineral extraction.

**Myth:** National monument status will protect the rich archaeological sites and artifacts in the Bears Ears region.

**Fact:** Looting and vandalism are ongoing problems because the region lacks sufficient federal law enforcement. Existing federal laws such as the Archaeological Resources Protection Act and the Paleontological Resources Preservation Act are just two federal laws that protect precious cultural and scientific sites on federal land regardless of status. But the Bureau of Land Management's law enforcement presence, once a formidable force in the area, has steadily declined due to federal budget constraints and workforce reductions. The designation of BENM brings no guarantees of improved law enforcement, but it does guarantee growing tourist visitation to vulnerable archaeological sites that will spread BLM resources even thinner and likely aggravate problems with looting and vandalism.

**Myth:** National monument status is a boon for outdoor recreation.

**Fact:** Monument status can limit specific activities enjoyed by outdoor recreationists, such as mountain biking, certain types of rock climbing and motorized travel on back roads. Managing public lands for the full spectrum of outdoor recreation activities and tailoring them to the specific terrain is best done

through land management plans that take input from local tribal leaders and local land managers who understand the unique nature of the area and its possible uses for responsible recreation.

Strong protections for the federal public lands that Utahns know and love are in place. The sacred and precious antiquities of southern Utah continue to be protected through targeted use of the Antiquities Act and existing laws, regulations and land management plans. Long-term, meaningful protection depends on stronger enforcement of existing law and on new legislation tailored to the nuanced concerns of federal, state, tribal and local stakeholders. It depends on allowing meaningful co-management of tribal ancestral lands by our local tribes. It depends on smart, sustainable management to accommodate conservation alongside a variety of responsible uses. By reducing the BENM to a realistic and manageable size, the Trump administration has reopened the door for the kind of sustainable protection the Bears Ears region really needs.

Gary R. Herbert is the governor of Utah.

#### **AGENCY MEDIA (submitted 12/1)**

##### **U.S. Department of the Interior**

*Secretarial-level Announcements/Events/Interviews:*

- **December 5:** Secretary Zinke/DOI will support President Trump in announcing the full Monument Review report.
- **December 5:** Secretary Zinke is meeting with Dale Hall of Ducks Unlimited and members of the Association of Fish & Wildlife Agencies.
- **December 6:** Secretary Zinke is attending the Congressional Christmas Tree Lighting Ceremony and Speaker Paul Ryan's Holiday Reception

##### **Interior Social Media Updates**

- **December 5: Department-level Blog Post:** DOI will publish a blog post celebrating the 70<sup>th</sup> birthday of Everglades National Park.

##### **National Park Service**

- **December 3 to 9:** WWII Valor in the Pacific National Monument, in partnership with the U.S. Navy, Pacific Historic Parks, and other close park partners, will commemorate the 76th anniversary of the attack on Oahu by the Empire of Japan. In addition to the main ceremony on the morning of December 7, other highlights of the week include ceremonies at the USS Oklahoma and USS Utah memorials, as well as the interment of MM1c Estelle Birdsell, who survived the sinking of the USS Arizona and who will now join his brother, Rayon Birdsell, who died in the attack 76 years ago, within the USS Arizona. Complete details are available at <http://pearlharborevents.com>.
- **December 6:** DOI Principal Deputy Assistant Secretary Scott Cameron, members of the Western Governors' Association and the states of Idaho and Nevada will visit Lake Mead National Recreation Area to discuss the parks aquatic invasive species program.
- **December TBD: National NPS Release:** NPS will issue a release announcing the installation of four electric vehicle charging stations in and around Gettysburg National Military Park as part of a continuing partnership with the National Park Foundation, Department of Energy, and BMW of North America. The first charging stations under the partnership were installed at Thomas Edison National Historical Park in April of this year. The same news release template would be used for future installations at different parks.

**U.S. Fish and Wildlife Service**

- **December 7: Local FWS Release:** FWS will publish a Notice of Regulatory Review (NORR) in the Federal Register requesting public comment on any potential effects a recent D.C. Circuit Court of Appeals ruling may have on the Service's June 30, 2017 final rule delisting the Greater Yellowstone Ecosystem grizzly bear Distinct Population Segment.

**Bureau of Land Management**

- **December 6: National BLM Release:** BLM-AK will hold an oil and gas lease sale for 900 tracts totaling 10.3 million acres in the NPR-A. There have been 12 previous NPR-A lease sales since 1999, but this one will be the first NPR-A lease to take place using livestream video. In addition, this is the first time that all available tracts will be offered for lease, which is a potential source of controversy. Bidding is expected to be moderate.
- **December 7: Local BLM Release:** BLM-CO will hold an oil and gas lease sale for 28 parcels totaling 27,284 acres in Garfield and Mesa counties. The sale is not expected to be controversial due to the lack of a significant number of protests received and lack of media coverage.
- **December 7: Local BLM Release:** BLM-NM will hold an oil and gas lease sale for 7 parcels totaling 2,104 acres in Eddy and Lea Counties. The sale is expected to be controversial and is likely to be protested by environmental groups concerned with the potential impacts of hydraulic fracturing on air and water quality. The bidding is expected to be robust.
- **December 7:** BLM-CO Colorado River Valley Field Office will provide an update on its inspection and enforcement program at the quarterly Northwest Colorado Oil and Gas Forum in Rifle, CO. The BLM will then provide the update at the monthly Garfield County Energy Advisory Board, also in Rifle. Updates will focus on the status of current projects, permitting and leasing.

**U.S. Geological Survey**

- **December 5:** USGS will issue four Technical Announcements and do social media about new reports that assess the quality of drinking-water supplies in four regional aquifers across the nation. The four regional aquifers to be announced are: Cambrian-Ordovician aquifer, Glacial aquifer system, Piedmont and Blue Ridge crystalline-rock aquifers, and the Rio Grande aquifer system.

**Bureau of Reclamation**

- **December 5 and 7:** Rescheduled Public Meetings on Draft EIS/EIR for Sites Reservoir Project (CA): The Sites Project Authority and Reclamation cancelled the September 26 and September 28 public meetings and rescheduled them for December 5 (in Sacramento) and December 7 (in Maxwell). The comment period is also extended to January 15, 2018.
- **December 7:** On December 7 in Portland, Oregon, the U.S. Army Corps of Engineers, Reclamation and Bonneville Power Administration will hold a public meeting on the Columbia River System Operations EIS to discuss the results of public scoping and provide a status update on progress made on the EIS and to further educate attendees on the NEPA process. A draft biological opinion is due in 2020, final environmental impact statement/record of decision in 2021. The two Reclamation facilities included in this process are Grand Coulee Dam and Hungry Horse Dam (both include hydropower facilities).

**Bureau of Ocean Energy Management**

- **December TBD:** NOA FSEIS for 2018 Gulf Region-wide Sales 250 and 251 NTS

**Office of Natural Resources Revenue**

- **December TBD:** ONRR issued a civil penalty in the amount of \$19,736 to Mid-Con Energy Operating, LLC, (Mid-Con) (formerly RDT Properties, Inc) on November 17, 2017. ONRR investigated Mid-Con's failure to submit production reports (form ONRR-4054) and found 68 violations on multiple Indian leases for the production months of September 2011 through January 2013.
- **December TBD:** ONRR anticipates issuing a civil penalty of about \$840 to Eight Round Inc., (Eight Round) the week of November 5, 2017. ONRR investigated Eight Round's failure to submit production reports (Forms ONRR-4054) and found 12 violations on one Indian agreement for production months of April, 2012 through September, 2013.

**Office of Insular Affairs**

- **December 5: National OIA Release:** Compact Impact Assistance Received for Guam Public School Leaseback Program for FY2018 - Interior Provides \$6.7M in Support of Guam Governor's Priorities

**CONGRESSIONAL UPDATE (updated 12/4)**

**UPCOMING SCIA HEARING:** The Senate Committee on Indian Affairs will host a legislative hearing on two Indian water rights settlement bills: S. 664 (Senator Hatch), the Navajo Utah Water Rights Settlement Act of 2017 and S. 1770 (Senator Flake), the Hualapai Tribe Water Rights Settlement Act of 2017. Alan Mikkelsen, the Chair of the Indian Water Rights Office Working Group, will be the witness on behalf of the Department.

**Timing:** Wednesday, December 6, 2017

**Contact:** Amanda Kaster, Advisor, Congressional Affairs

**UPCOMING HNR SUBCOMMITTEE HEARING REGARDING FISH RECOVERY PROGRAMS:** The House Natural Resources subcommittee on Water Power and Oceans will hold a legislative hearing on HR.4465 which has impacts on Bureau of Reclamation and Fish Wildlife Service. DOI will not be testifying but will provide a statement for the record.

**Timing:** Wednesday, December 6, 2017

**Contact:** Amanda Kaster, Advisor, Congressional Affairs

**EXPECTED HEARING:** The Senate Energy Committee is expected to hold a hearing on December 12 regarding permitting reform. Details regarding the specifics the committee plans to emphasize are still being put together; however, James Cason (Associate Dep. Sec.) is tentatively scheduled to testify.

**Timing:** Tuesday, December 12, 2017

**Contact:** Amanda Kaster, Advisor, Congressional Affairs

**DOI NOMINEES IN PROGRESS:** Susan Combs (A/S PMB) passed out of committee August 3, 2017 and still awaits a vote. Joe Balash (Assistant Secretary, Land & Minerals) and Ryan Nelson (Solicitor) appeared before the SENR committee on September 7, 2017. Both passed and now await full Senate approval. DOI OCL is working with OGE and the White House to get final approval for Asst. Sec. Indian Affairs nominee, Tara Sweeney before submitting her paperwork to the Senate. The White House nominated Steve Gardner for OSM. His Senate questionnaire is currently under review. Tim Petty's (Asst. Secretary, Water & Science Nominee) was nominated November 14, 2017 and his nomination hearing will be held on 12/5/17.

**Contact:** John Tanner, Director, Congressional Affairs

**POLITICAL APPOINTEE UPDATE**

DOI politicals on board 65

4 PAS confirmed as of 11/16

6 nominated awaiting confirmation:

- Pending Senate floor vote: Susan Combs, Assistant Secretary Policy Management and Budget.
- Pending Senate floor vote: Joe Balash, Assistant Secretary, Land and Minerals
- Pending Senate floor vote: Ryan Douglas Nelson, Solicitor
- Pending Hearing: Tara Sweeney, Assistant Secretary for Indian Affairs
- Pending Hearing: Steve Gardner, Director, Office of Surface Mining and Reclamation
- Pending Hearing: Tim Petty, Assistant Secretary for Water and Science

Overall:

- Schedule C: 36 of 68 onboard; 2 starting; 6 in process
- NC-SES: 26 of 44 onboard; 3 starting; 1 in process
- PAS: 4 Confirmed; 6 Announced; 14 of 17 Submitted to PPO

**SECRETARY SPEAKING INVITATIONS**

Accepted:

12/16 - National Wreaths Across America Day (Arlington National Cemetery)

2/9 – Western Hunting & Conservation Expo (Salt Lake City, Utah)

3/6-7 – CERA Week (Houston, Texas)

Open (date TBC)- Americans for Tax Reform (DC)

Open (date TBC)- Detroit Economic Club

~~Event Postponed by organizers due to fire 10/21 DEPA BOD Meeting (CA)~~

Outstanding Invitations in Process:

1/4 – Dallas Safari Club Annual Meeting (Dallas, TX)

1/26-28 – Houston Safari Club Annual Meeting (Houston, TX)

1/29 – Society of Range Management Annual Meeting (Reno, Nevada)

1/31-2/3 Safari Club International Annual Meeting (Las Vegas, NV)

2/8- Texas Public Policy Foundation Policy Orientation (Austin, TX)

2/12 – The Corps Network National Conference (Washington, DC)

Declining

12/5-7 America Outdoors Association's 29th Annual Marketing and Management Conference for Outfitters and Adventure Resorts (Reno, NV)

12/5 – NY Stock Exchange Ringing of the Bell & remarks at Wells Fargo Financial Symposium Event (NYC)

12/6 American Exploration and Mining Association Annual Meeting (Reno, NV)

12/8 - Valley Industry and Commerce Association Annual Meeting (Los Angeles, CA)

12/11 – Veterans Day Commemoration (Prussia, PA)

12/14 – Leadership Missoula (Missoula, Montana)

12/8 – DOI Toastmasters event (Washington, DC)

12/9 – Western Caucus Foundation Winter Policy Meeting (Las Vegas, NV)

1/11/18 – EEI CEO and Board Conference (Phoenix, AZ)

2/9-10 Associated General Contractors Western Chapter Annual Meeting (La Jolla, CA)

2/23/18 – West Slope Colorado Oil and Gas Association Annual Meeting (Grand Junction, CO)

**EMERGENCY MANAGEMENT**

Overnight, a fast-moving and wind-fueled wildfire, the Thomas Fire, started in Ventura County in southern California. The fire originated just south of the Los Padres National Forest, near the community of Santa Paula, as a brush fire around 50 acres in size. Due to dry foliage, low humidity, and sustained winds of more than 30 miles per hour overnight, the fire has grown to 31,000 acres and is zero-percent

contained. Ventura County officials reported there were approximately 500 firefighters on scene or en route, and that fixed wing aircraft and helicopters are expected by day break. Mandatory evacuations have been issued for nearly 7,800 residences and 150 structures have already been destroyed. The overall intensity of the fire and weather conditions are complicating response efforts. Extreme Fire Weather is forecast for the area today and the National Weather Service has issued a Red Flag Warning for much of Ventura and Los Angeles counties. A Wind Advisory and High Wind Warning was also issued due to strong surface winds with gusts up to 60 to 80 miles per hour. The Lake Casitas Recreation Area (USBOR), the closest DOI asset in the area, is to the northwest of the fire perimeter and has not reported any impacts.

**OUTSIDE MEDIA OF INTEREST (new)**

**Trump Reduces Size Of Grand Staircase, Bears Ears Monuments.**

During a visit To Utah Monday, President Trump announced that he has reduced the size of Bears Ears National Monument by 85% and Grand Staircase-Escalante National Monument by about half. Media coverage is somewhat mixed, highlighting both the positive response from officials and Utahans who see the move as an economic win for the state as well as the negative reaction from protesters and tribal and environmental groups who have vowed to mount a legal challenge.

NBC Nightly News (12/4, story 4, 0:25, Holt) reported that Trump is “dramatically scaling back” the sites, and Breitbart (12/4, Spiering) says he took “the unusual step...despite an outcry from leftist environmental groups.” Trump said, “With the action I’m taking today, we will not only give back your voice over the use of this land, we will also restore your access and your enjoyment. ... Public lands will once again be for public use.”

- **FIRST MONUMENT LAWSUITS FILED:** A coalition of environmental groups filed the first lawsuit challenging President Donald Trump's long-expected move to shrink the Grand Staircase-Escalante National Monument just hours after he announced his decision to significantly pare two national monuments in Utah. The groups argue in their complaint filed in Washington federal court that the Antiquities Act "does not authorize Presidents to abolish [national monuments] either in whole or in part, as President Trump's action attempts to do." And the Native American Rights Fund, representing the Hopi Tribe, Navajo Nation, Pueblo of Zuni and Ute Mountain Ute Tribe, filed its own challenge the Bears Ears proclamation late Monday evening.

**Interior Department Nomination Hearing Begins Tuesday For Hill Staffer With Idaho Ties.**

KBSC-FM Boise, ID (12/4, Barnhill) reports that Tuesday morning, a Senate committee will hear the nomination of Tim Petty to be the assistant Interior secretary for water and science. Petty has “worked for the Interior Department before – under then-Secretary and former Idaho governor Dirk Kempthorne.”

**Congress Fights Over Whether To Allow Interior To Kill Wild Horses.**

The Washington Examiner (12/5, Siegel) reports that to manage the overpopulation of wild horses, John Ruhs, the Bureau of Land Management's director in Nevada, “wants Congress to lift restrictions on his agency to give it more flexibility to euthanize horses — not just when they're old and sick — and sell more of them for private use, without dictating what the buyer can or cannot do with the animals.” The Senate “introduced a fiscal 2018 Interior-Environmental Protection Agency spending bill last month that includes language prohibiting BLM from selling without restriction tens of thousands of excess horses on federal rangelands and banning the agency from euthanizing animals that have been unsuccessfully

offered for adoption more than three times.” However, the House’s fiscal 2018 Interior appropriations legislation “contains a section that would lift restrictions on BLM to sell or, in specific circumstances, euthanize excess wild horses.”

**Bill Could Make Drilling Off N.C. Coast More Likely.**

The [Jacksonville \(NC\) Daily News](#) (12/4, Wagner) reports that the SECURE American Energy Act would make drilling off North Carolina more likely. The measure was passed by the House Committee on Natural Resources, but it has not yet received a vote from the full chamber. The bill would grant Congress the sole power to establish moratoriums on offshore drilling and create National Marine Monuments. Gov. Roy Cooper has opposed offshore exploration, saying it risks the state’s coastal economies.

**Navajo-Gallup Water Project Gains Pipeline Contract.**

The [Southwest Colorado Journal](#) (12/4, Mimiaga) reports that “Navajo and Jicarilla-Apache Nation communities in New Mexico are one step closer to receiving domestic and commercial water supplies as part of a \$1.13 billion federal construction project.” Construction began on the Navajo-Gallup Water Supply project “in 2013 with completion estimated for 2024.” The article notes that “it is being built by the Bureau of Reclamation, city of Gallup, Navajo Nation and Indian Health Service.”

**Hunt Elephants To Save Them? Some Countries See No Other Choice.**

In continuing coverage of the controversy over the decision by the United States Fish and Wildlife Service last month “to allow hunters to bring home trophies from elephants killed in Zimbabwe and Zambia,” the [New York Times](#) (12/4, Nuwer) reports that “whether the proceeds from big-game hunting should be used to protect threatened and endangered species is a difficult question to answer.” The article notes that “in some areas, including in Namibia and Zimbabwe, the strategy has helped revive wildlife populations.” However, “in others, including Tanzania, hunting has fed corruption and decimated species.” Vern Buchanan Urges Donald Trump To Ban African Lion Trophies. The [Sunshine State \(FL\) News](#) (12/4, Derby) reports that Rep. Vern Buchanan, co-chairman of the Animal Protection Caucus in Congress, is urging President Trump “to restore the ban on allowing African lion trophies to be brought into the United States.” Buchanan said, “Allowing lion heads to be brought into the U.S. as trophies will only encourage the slaughter of these magnificent animals. President Trump should reverse his Interior secretary’s decision and keep the ban on African lion trophies.”

**National Park Lovers Should Applaud Trump’s Monument Decision.**

In an op-ed on the [Fox News](#) (12/4) website, ex-Rep. Jason Chaffetz praises President Trump’s decision to reduce the size of the Bears Ears and Staircase-Escalante National Monuments as “an example of his policies that will benefit every American who enjoys national parks and monuments.” Chaffetz argues that national monument designations “have strained land management budgets and limited public access to beautiful places.”

**DOI PRESS RELEASE:**

**President Trump and Secretary Zinke Announce Modification to Utah Monuments, Resulting in 5 Unique National Monument Units Totaling More Than 1.2 Million Acres**  
*Modifications protect paleontological resources, Native American artifacts and other objects of historic or scientific interest while restoring traditional use and access to public land*

**SALT LAKE CITY** – Acting upon the recommendation of U.S. Secretary of the Interior Ryan Zinke, and with the support of Utah’s governor, Congressional delegation, local officials, and residents, President

Donald J. Trump today signed proclamations to adjust the boundaries and management of Utah's Bears Ears National Monument (BENM) and Grand Staircase-Escalante National Monument (GSENM). The proclamations modify the boundaries of those monuments and result in five unique monument units within the two monuments which protect important objects of historical and scientific interest.

"No one values the splendor of Utah more than the people of Utah – and no one knows better how to use it. Families will hike and hunt on land they have known for generations, and they will preserve it for generations to come." **said President Donald J. Trump.** "The Antiquities Act does not give the Federal Government unlimited power to lock up millions of acres of land and water, and it's time we ended this abusive practice. Public lands will once again be for public use."

"I thank President Trump for his leadership on the Monument Review and for keeping his promise to make sure the rural voice is heard once again," **said Secretary Zinke.** "As I visited the Monuments in Utah, I met with Americans on all sides of the issue -- from ranchers to conservationists to tribal leaders -- and found that we agree on wanting to protect our heritage while still allowing public access to public land. The people of Utah overwhelmingly voiced to us that public land should be protected not for the special interests, but for the citizens of our great country who use them, and this is what President Trump is doing today. Bears Ears and Grand Staircase will remain under federal protection, will adhere to the spirit and letter of the Antiquities Act, and -- even after our modification -- combined will still be nearly twice the size of Rhode Island."

"By acting on Secretary Zinke's thoughtful recommendations, President Trump has restored balance to our public lands discussion," **said Governor Gary Herbert of Utah.** "We are pleased that Utahns once again have a voice in the process of determining appropriate uses of these public lands that we love. By reducing these super-sized monuments to a size consistent with the intent of the law, new doors of dialogue have opened up that will allow thoughtful, long-term protection of these federal lands. Federal, state, local and tribal officials can now convene to craft legislation for appropriate special protections and responsible recreational uses."

"Thank you Secretary Zinke, for coming to San Juan, Kane, and Garfield counties and listening to the local grassroots people. Your boots on the ground approach was unexpected, but well received and appreciated," **said San Juan County Commissioner Rebecca Benally.** "Thank you Senator Hatch. You and your staff have been champions for us. Thank you for never giving up. For believing we could rectify a wrong and for being a fighter for San Juan County and our people. Thank you President Trump. Thank you for not being a typical politician and passing us over. Thank you for caring about San Juan County. We may be only 15,000 strong, but we matter. We appreciate you willing to take the backlash from the special interest groups as you stand for the people and the economy of San Juan County."

"I'm thrilled and grateful to President Trump and Secretary Zinke for giving Utahns a voice in the protection of federal lands in Utah," **said Senator Orrin Hatch.** "The President's proclamation represents a balanced solution and a win for everyone on all sides of this issue. It also represents a new beginning in the way national monuments are designated, paving the way for more local input, and taking into account the actual letter and intent of the Antiquities Act, which calls for the 'smallest area compatible with proper care and management of the objects to be protected.'"

**Bears Ears National Monument:** The BENM will now encompass two monument units, Shash Jáa and Indian Creek, which will continue to be jointly managed by the Bureau of Land Management and U.S. Forest Service. Shash Jáa is approximately 129,980 acres and Indian Creek is approximately 71,896 acres. Collectively, at approximately 201,876 acres in size, Bears Ears remains larger than Utah's Bryce Canyon National Park and Zion National Park combined. The new proclamation allows for increased public access to the land and restores traditional use allowance for activities like cattle grazing and motorized

recreation, and tribal collection of wood and herbs. Objects that remain within monument boundaries include: the "Bears Ears" buttes, Lime Ridge Clovis Site, Moon House Ruin, Doll House Ruin, Indian Creek Rock Art, and Newspaper Rock. The federal lands excluded from the monument will continue to be managed by the Bureau of Land Management (BLM) and the U.S. Forest Service.

In addition, the President's proclamation provides that the Bears Ears Commission will provide guidance and recommendations for the Shash Jáa unit of the monument and will be expanded to include a Native American San Juan County Commissioner elected by the majority-Native American voting district in that County. The President and Secretary will also request that Congress formally allocate Tribal co-management of the monument.

**Grand Staircase-Escalante National Monument:** The GSENM will now consist of three distinct monument units, the "Grand Staircase" (209,993 acres), "Kaiparowits" (551,034 acres), and "Escalante Canyons" (242,836 acres), and all three will be managed by the BLM. The three new monument areas collectively total 1,003,863 acres, which is larger than the entire state of Rhode Island. The federal lands not included in the new monuments will continue to be managed by the BLM.

In the 20 years since designation of the GSENM, the objects identified by the proclamation have been more thoroughly examined and mapped, which offered the opportunity to examine the significance of the objects previously identified and

determine the proper size of the reservation necessary to protect those objects. The modified monument includes important objects identified in the original designation, including those areas with the highest concentration of fossil resources, important landscape features such as the Grand Staircase, Upper Paria Canyon System, Kaiparowits Plateau, Escalante Natural Bridge, Upper Escalante Canyons, East Kaibab Monocline, Grosvenor Arch, Old Paria Townsite, Dance Hall Rock, and relict plant communities such as No Mans Mesa.

#### **FACT VS FICTION: Antiquities Act and Monument Review**

**Myth:** No president has shrunk a monument.

**False:** Monuments have been reduced at least eighteen times under presidents on both sides of the aisle. Some examples include President John F. Kennedy excluding Bandelier National Monument, Presidents Taft, Wilson, and Coolidge reducing Mount Olympus National Monument, and President Eisenhower reducing the Great Sand Dunes National Monument in Colorado.

**Myth:** The monument review will sell/transfer public lands to states.

**False:** This is not true. The Secretary adamantly opposes the wholesale sale or transfer of public lands. The Antiquities Act only allows Federal land to be reserved as a national monument. Therefore, if any monument is reduced, the land would remain federally owned and would be managed by the appropriate Federal land management agency, such as the BLM, U.S. Forest Service, U.S. Fish and Wildlife Service, or the National Park Service (NPS).

**Myth:** Removing the monument designation from land will leave Native American artifacts and paleontological objects subject to looting or desecration.

**False:** This is not true. Whether these resources are found on land designated as a monument, national forest, BLM- managed public land, or other federal land, it is generally illegal to remove or disrupt these resources without a permit issued by the federal government.

**Myth:** The monument review will close/sell/transfer national parks.

**False:** No national parks are under review.

**Myth:** The review was done without meeting advocates for national monuments.

**False:** The Secretary visited eight monuments in six states and personally hosted more than 60 meetings

attended by hundreds of local stakeholders. Attendees included individuals and organizations representing all sides of the debate ranging from environmental organizations like the Wilderness Society and the Nature Conservancy to county commissioners and, residents, and ranchers who prefer multiple use of the land.

**Myth:** Tribal Nations were not consulted.

**False:** This is patently false. Before traveling to Utah, the Secretary met with Tribal representatives in his office. On his first day in Utah in May, the Secretary met with the Bears Ears Inter-Tribal Coalition in Salt Lake City, for just under two hours. Throughout the four-day survey of the Utah monuments, the Secretary also met with local Tribal representatives who represent different sides of the debate. The Secretary also met with Tribal representatives for their input on several other monuments from Maine to New Mexico to Oregon and everywhere in between. Additionally, the Department hosted several Tribal listening sessions at the Department and across the country, including a four hour session with the Acting Deputy Secretary on May 30th.

**FEDERAL REGISTER LISTINGS:**

REG0007672 BLM Waste Prevention, Production Subject to Royalties, and Resource Conservation; Delay and Suspension of Certain Requirements -- This final rule temporarily suspends or delays certain requirements in the BLM final rule, "Waste Prevention, Production Subject to Royalties, and Resource Conservation," published in November 2016. This final rule postpones the implementation of such requirements for one year until January 17, 2019, while the BLM considers whether to revise or rescind the 2016 final rule. Final Rule 12/01/2017

REG0007621 BOE Notice of Availability for the Gulf of Mexico Outer Continental Shelf Lease Sale Final Supplemental Environmental Impact Statement 2018 -- The Bureau of Ocean Energy Management (BOEM) is announcing the availability of the Gulf of Mexico Outer Continental Shelf Lease Sale: Final Supplemental Environmental Impact Statement 2018 (Final SEIS). The Final SEIS will inform decisions on each of the two proposed region wide lease sales scheduled to be held in 2018. Notice 12/01/2017

REG0006845 FWS Financial Assistance: Wildlife Restoration, Sport Fish Restoration, Hunter Education and Safety -- FWS is updating the regulations that are the administrative rules for the Pittman-Robertson Wildlife Restoration and the Dingell-Johnson Sport Fish Restoration programs and subprograms. Proposed Rule 12/01/2017

REG0007652 FWS Endangered and Threatened Wildlife and Plants; Initiation of a 5-yr Status Review of the Alaska-Breeding Population of Steller's Eider -- The FWS is initiating a 5-year status review of the Alaska-breeding population of Steller's eider under the Endangered Species Act of 1973 (ESA). The FWS requests any new information on the threatened species that has become available since the last review over a 60-day comment period. Notice 12/01/2017

REG0007655 FWS Endangered and Threatened Wildlife and Plants; Availability of Proposed Low-Effect Habitat Conservation Plan; Orange County Utilities, Malcolm Road Water Supply Facility, Orange County, FL -- The FWS has received an application from Orange County Utilities for an incidental take permit (ITP) that would authorize take of approximately 10.9 acres of occupied threatened sand skink habitat incidental to the construction of a water supply facility on property jointly owned by Orange County and the City of Orlando, Florida. Notice 12/01/2017

REG0007667 FWS Issuance of Recovery Permits and Interstate Commerce Permits January 2, 2017, through June 30, 2017 -- This batched notice informs the public of the issuance of Endangered Species Act permits. Notice 12/01/2017

REG0007668 FWS U.S. Endangered Species; Receipt of Recovery Permit Applications -- This is a batched notice announcing the receipt by FWS of applications for Endangered Species Act (ESA) permits. Notice 12/01/2017

REG0007669 FWS Agency Information Collection Activities; Submission to the Office of Management and Budget for Review and Approval; Depredation Orders -- This Notice, under the Paperwork Reduction Act of 1995 (PRA), announces that FWS will ask the Office of Management and Budget (OMB) to renew its approval of the collection of information pertaining to implementation of the Migratory Bird Treaty Act. FWS is requesting public comments on the renewal for 30 days. Notice 12/01/2017

REG0007670 NPS National Register of Historic Places, November 18, 2017 -- The NPS is soliciting comments on the significance of properties nominated before November 18, 2017, for listing in the National Register of Historic Places or related actions. Notice 12/01/2017